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OFFICE OF PETITIONS

In re Application of :  
Jerome Swartz et al :  
Application No. 09/940,182 : DECISION ON PETITION  
Filed: August 27, 2001 : UNDER 37 CFR 1.313(c)(3)  
Attorney Docket No. 591A :


This is a decision on the petition, filed November 6, 2006 and supplement on November 8, 2006, under 37 CFR 1.313(c)(3) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

Petitioner requests that the above-identified application be withdrawn from issue for express abandonment in favor of a continuing application stated to have been filed by Express Mail on November 6, 2006.

The petition complies with the requirements of 37 CFR 1.313(c)(3). Accordingly, the application is hereby withdrawn from issue, and the abandonment is hereby recognized.

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions